

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. _____

WASTE DISCHARGE REQUIREMENTS
FOR
KINGS WASTE AND RECYCLING AUTHORITY
FOR
POSTCLOSURE MAINTENANCE
HANFORD MUNICIPAL SOLID WASTE LANDFILL
KINGS COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Water Board) finds that:

1. Kings Waste and Recycling Authority (hereafter Discharger) owns the Hanford Municipal Solid Waste Landfill (facility) about 2.5 miles southeast of the City of Hanford, in the NE1/4 of Section 4, T19S, R22E, MDB&M, as shown in Attachment A, which is incorporated herein and made part of this Order by reference.
2. The 96.4-acre facility contains one existing unlined waste management unit (Unit) covering 79 acres and, as shown in Attachment B, which is incorporated herein and made part of this Order by reference. The facility is comprised of Assessor's Parcel Map Number (APN) 016-013-051.
3. On 25 October 1996, the Regional Water Board adopted Waste Discharge Requirements Order No. 96-266 (WDRs), which classified the Unit as a Class III landfill, as defined in Title 27, California Code of Regulations (CCR), Section 20005, et seq (Title 27).
4. Cleanup and Abatement Order No. 96-706 (CAO), adopted on 19 November 1996, for a release of waste constituents to groundwater, requires the Discharger to: submit an Engineering Feasibility Study (EFS) for a Corrective Action Program (CAP); submit a time schedule to establish a CAP; and implement the CAP in accordance with the time schedule as approved.
5. The Unit received wastes from 1973 through 1998 and closed in 1999 with an engineered alternative composite cover system that is comprised, in ascending order, of: a minimum 12-inch foundation layer placed over an existing six to 12-inch intermediate cover; a non-reinforced geosynthetic clay layer; and an 18-inch vegetative layer. A landfill gas (LFG) extraction system was installed to remove and thermally destroy LFG.
6. This Order will supersede and rescind WDRs Order No. 96-266, and is for the purpose of regulating postclosure maintenance of the facility.

SITE DESCRIPTION

7. The facility lies within the southern portion of the San Joaquin Valley, which taken together with the Sacramento Valley to the north, forms the Central Valley. The Central Valley is a large, northwest-trending structural trough that is bounded by the Sierra Nevada Mountains to the east and the Coast Ranges to the west. Deposits of the Central Valley consist of both continental and marine materials ranging from Jurassic to Holocene age. Valley-fill sediments in the Hanford area exceed 6,000 feet in thickness and result from alluvial, fluvial, lacustrine, and marine depositional processes. These processes have combined to form a heterogeneous mixture of clays, silts, sands, and gravels.
8. Based on data provided by the Discharger, the measured hydraulic conductivity of the native soils underlying the Unit ranges between 2×10^{-3} cm/sec (sands) and 5×10^{-8} cm/sec (silts and clays) depending on location and depth.
9. The closest Holocene faults are the San Andreas Fault, which is approximately 55 miles to the southwest of the facility, and the Coalinga and Nunez Faults, which are approximately 45 miles to the west of the facility. Recorded magnitudes of seismic events along the San Andreas Fault near Parkfield range between 4.0 and 6.5 on the Richter scale and recorded magnitudes for the Coalinga and Nunez Faults are 6.5 and 6.0. The maximum credible acceleration for the site is estimated at 0.04 g.
10. Land uses within 1,000 feet of the facility consist of agriculture, an unused tire disposal site, and a cement plant.
11. The facility receives an average of 8.29 inches of precipitation per year as measured at the Hanford Station. The mean pan evaporation is 78.98 inches per year as measured at the Corcoran El Rio Station.
12. The 100-year, 24-hour precipitation event is estimated to be 2.55 inches, based on Department of Water Resources' bulletin entitled *Rainfall Depth-Duration-Frequency for California*, revised November 1982, updated August 1986.
13. The facility is not within a 100-year flood plain based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, Community-Panel Number 060086 0075B for Kings County.
14. Based on the Discharger's June 1989 Solid Waste Assessment Test (SWAT) report, 35 domestic, 23 agricultural, and one domestic/agricultural supply wells are within one mile of the site. No surface springs have been observed. The Keverline residence, shown on Attachment A, has a domestic well that is approximately

1,050 feet west and hydraulically downgradient of the facility and the Mendoza residence has a domestic well that is approximately 1,300 feet west/southwest and hydraulically downgradient of the facility. Due to impacts of the plume addressed by the CAO, the Discharger installed in-home activated carbon water filtration systems at the Keverline and Mendoza residences.

WASTE AND SITE CLASSIFICATION

15. Municipal solid wastes, as defined by Title 27 CCR Section 20164, were discharged until 1999.
16. The site characteristics where the Unit is located (see Finding No. 8) do not meet the siting criteria for a Class III landfill specified in Title 27 CCR Sections 20260(a) and (b)(1). As such, the site is not suitable for operating new Units or lateral expansions of existing Units for the discharge and containment of Class III wastes without the construction of additional waste containment features in accordance with Title 27 CCR Section 20260(b)(2) and State Water Resources Control Board Resolution No. 93-62, *Policy for Regulation of Discharges of Municipal Solid Waste*.

SURFACE AND GROUND WATER CONDITIONS

17. The *Water Quality Control Plan for the Tulare Lake Basin, Second Edition* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for all waters of the Basin.
18. Surface drainage is toward Tulare Lake in the Hanford-Lemoore Hydrologic Area (551.90) of the Tulare Lake Basin.
19. There are no perennial streams in the immediate vicinity of the facility. The Settlers Ditch passes from north to south along the eastern margin of the facility (see Attachment A). Since the facility has been closed, runoff from the facility will not cause the degradation of water in the ditch.
20. The facility is on the floor of the southern San Joaquin Valley. The designated beneficial uses of valley floor waters, as specified in the Basin Plan, are agricultural supply, industrial service and process supply, water contact and non-contact water recreation, warm fresh water habitat, wildlife habitat, preservation of rare, threatened and endangered species, and groundwater recharge.
21. First encountered groundwater is about 87 to 118 feet below native ground surface depending on location. Groundwater elevations range from 116 feet MSL to

130 feet MSL. The groundwater is unconfined. The depth to groundwater fluctuates seasonally as much as 12 feet depending on location.

22. Monitoring data indicates background groundwater quality has an electrical conductivity (EC) ranging between 480 and 1,400 micromhos/cm. The most recent monitoring (April 2007) measured EC at a concentration of 958 micromhos/cm in background groundwater. Total dissolved solids (TDS) range between 390 and 1,000 mg/l. The most recent groundwater data (April 2007) measured TDS at a concentration of 760 mg/l in background groundwater.
23. The groundwater gradient is toward the west, but varies seasonally and periodically is toward the southwest. The most recent groundwater elevation data (April 2007) indicates that the average groundwater gradient is approximately 0.0047 feet per foot. The most recent groundwater velocity calculations (First Semi-Annual 2007 Groundwater Monitoring Report) indicate that the average groundwater velocity is 340 feet per year.
24. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are municipal and domestic, agricultural, and industrial supply.

GROUNDWATER MONITORING

25. The detection groundwater monitoring system consists of downgradient monitoring wells HL-6, HL-7, HL-8, HL-9, and HL-10 (see Attachment B). Detection groundwater monitoring well HL-11 is a side-gradient monitoring well, but exists within the plume of groundwater degradation. The background groundwater monitoring well is HL-12. Monitoring well HL-5 is used only for obtaining groundwater elevation data. Except for monitoring well HL-7, which is completed in a perched groundwater zone and is now dry, all other groundwater detection monitoring wells are constructed in the regional unconfined groundwater zone. The unsaturated zone monitoring system consists of nine landfill gas monitoring wells, VW-1 through VW-9, located around the perimeter of the Unit (see Attachment 2). The LFG monitoring wells contain two or three nested probes that are installed at depths ranging from seven to 60 feet below grade. The LFG monitoring wells are used to measure methane concentration levels. The Unit is unlined and does not contain a leachate collection and removal system (LCRS).
26. The Discharger's Detection Monitoring Program (DMP) for groundwater at this Unit satisfies the requirements contained in Title 27.
27. Volatile organic compounds (VOCs) are often detected in a release from a Unit, and are the primary waste constituents detected in groundwater beneath a municipal solid waste landfill (see Finding No. 32). Since volatile organic

compounds are not naturally occurring and thus have no background value, they are not amenable to the statistical analysis procedures contained in Title 27 for the determination of a release of wastes from a Unit.

28. Title 27 CCR Sections 20415(e)(8) and (9) provide for the non-statistical evaluation of monitoring data that will provide the best assurance of the earliest possible detection of a release from a Unit in accordance with Title 27 CCR Section 20415(b)(1)(B)2.-4. However, Title 27 does not specify a specific method for non-statistical evaluation of monitoring data.
29. The Regional Water Board may specify a non-statistical data analysis method pursuant to Title 27 CCR Section 20080(a)(1). California Water Code Section 13360(a)(1) allows the Regional Water Board to specify requirements to protect underground or surface waters from leakage from a solid waste site, which includes a method to provide the best assurance of determining the earliest possible detection of a release.
30. To provide the best assurance of the earliest possible detection of a release of non-naturally occurring waste constituents from a Unit, this Order specifies a non-statistical method for the evaluation of monitoring data.
31. The specified non-statistical method for evaluation of monitoring data provides two criteria (or triggers) for making the determination that there has been a release of non-naturally occurring waste constituents from a Unit. The presence of two non-naturally occurring waste constituents above their respective method detection limit (MDL), or one non-naturally occurring waste constituent detected above its practical quantitation limit (PQL), indicates that a release of waste from a Unit has occurred. Following an indication of a release, verification testing will be conducted to determine whether there has been a release from the Unit or a source other than the landfill, or a false detection. Although the detection of one non-naturally occurring waste constituent above its MDL is sufficient to provide for the earliest possible detection of a release, the detection of two non-naturally occurring waste constituents above the MDL as a trigger is appropriate. The higher risk of a false-positive analytical result and the corresponding increase in sampling and analytical expenses from the use of one non-naturally occurring waste constituent above its MDL as a trigger makes it appropriate.
32. Based on groundwater monitoring analytical data from the DMP and the Evaluation Monitoring Program (EMP), volatile organic compounds (VOCs) including: acetone; benzene, cis-1,2-dichloroethene (cis-1,2-DCE); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); tetrachloroethene (PCE); trichloroethane (TCE); 1,1-dichloroethane (1,1-DCA); 1,1-dichloroethene (1,1-DCE); methylene chloride; trans-1,2-dichloroethene (1,1-DCE); vinyl chloride; and

1,1,1-trichloroethane have been released from the Unit. Groundwater monitoring analytical data have also determined that the naturally occurring waste constituents (inorganic waste constituents) have been detected at Point of Compliance wells at concentrations statistically exceeding background concentrations and include: bicarbonate; carbonate; sulfate; TDS; calcium; magnesium; and potassium.

33. The EMP for the site was completed in May 2002 and determined the nature (see Finding No. 32) of the release and the lateral and vertical extent of the groundwater degradation.
34. Based on the results of the EMP, at the time it was approved in May 2002, the lateral extent of the VOC plume was approximately 1,500 feet west of the Unit, 750 feet southwest of the Unit; approximately 200 feet north of the Unit; and approximately 100 feet east and south of the Unit. The lateral extent of inorganic waste constituents in groundwater falls within the VOC plume boundary.
35. The vertical extent of the VOC plume appears to be approximately 203 feet bgs. This is based on the detection of low concentrations of PCE and CFC-12 in monitoring well HL-14, which is screened between 188 and 203 feet bgs.

CEQA AND OTHER CONSIDERATIONS

36. The action to revise waste discharge requirements for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resource Code Section 21000, et seq., and the CEQA guidelines, in accordance with Title 14, CCR, Section 15301.
37. The facility is closed and maintained in accordance with Title 27 with the objective of preventing any waste discharge to waters of the State. Although degradation of groundwater has occurred, none was authorized by WDRs Order No. 96-266 and none is authorized by this Order. The degradation is being addressed through tasks set forth in the CAO. An antidegradation analysis is not needed as no new or revised discharge of waste is being authorized. The permitted discharge is consistent with the antidegradation provisions of State Water Resources Control Board Resolution No. 68-16.
38. This Order implements:
 - a. The *Water Quality Control Plan for the Tulare Lake Basin, Second Edition*;

WASTE DISCHARGE REQUIREMENTS ORDER NO. _____
KINGS WASTE AND RECYCLING AUTHORITY
FOR POSTCLOSURE MAINTENANCE
HANFORD MUNICIPAL SOLID WASTE LANDFILL
KINGS COUNTY

-7-

- b. The prescriptive standards and performance goals of Chapters 1 through 7, Subdivision 1, Division 2, Title 27, of the California Code of Regulations, effective 18 July 1997, and subsequent revisions;
- c. The prescriptive standards and performance criteria of RCRA Subtitle D, Part 258; and
- d. State Water Resources Control Board Resolution No. 93-62, *Policy for Regulation of Discharges of Municipal Solid Waste*, adopted 17 June 1993.

PROCEDURAL REQUIREMENTS

- 39. All local agencies with jurisdiction to regulate land use, solid waste disposal, air pollution, and to protect public health, have approved the use of this site for the discharges of waste to land stated herein.
- 40. The Discharger and interested agencies and persons were notified of the intent to prescribe waste discharge requirements for this discharge, and provided with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
- 41. In a public meeting, all comments pertaining to the discharge were heard and considered.
- 42. Any person affected by this action of the Regional Water Board may petition the State Water Resources Control Board to review the action in accordance with Title 23 CCR Sections 2050 through 2068. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, California 95812, within 30 days of the date of issuance of this Order. Copies of the laws and regulations applicable to the filing of a petition are available on the Internet at http://www.swrcb.ca.gov/water_laws/index.html and will be provided on request.

IT IS HEREBY ORDERED, pursuant to Sections 13263 and 13267 of the California Water Code, that Order No. 96-266 is rescinded, and that the Kings Waste and Recycling Authority, its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

- 1. Discharge of wastes to the Unit is prohibited.

2. The discharged wastes shall not cause the release of pollutants or waste constituents in a manner which could cause a condition of degradation, contamination, or pollution of groundwater to occur, as indicated by the most appropriate statistical or nonstatistical data analysis method and retest method listed in this Order, the Monitoring and Reporting Program, or the Standard Provisions and Reporting Requirements.
3. Discharge of solid waste, liquid waste, leachate, or waste constituents shall neither cause nor contribute to any degradation, contamination, pollution, or nuisance to surface waters, ponded water, or surface water drainage courses.
4. The discharge shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil, or other geologic materials outside of the Unit if such waste constituents could migrate to waters of the State — in either the liquid or the gaseous phase — and cause a condition of nuisance, degradation, contamination, or pollution.

B. FACILITY SPECIFICATIONS

1. The Discharger shall immediately notify the Regional Water Board of any flooding, monitoring equipment failure, slope failure, or other change in site conditions which could impair the integrity of waste containment structures or precipitation and drainage control structures.
2. Water used for facility maintenance shall be limited to the minimum amount necessary for dust control and construction.
3. The Discharger shall maintain in good working order any structure, control system, or monitoring device installed to achieve compliance with this Order.
4. Methane and other landfill gases shall be adequately vented, removed from the Unit, or otherwise controlled to prevent the danger of adverse health effects, nuisance conditions, or the impairment of the beneficial uses of surface water or groundwater due to migration through the unsaturated zone.
5. Surface drainage within the facility shall either be contained on-site or be discharged in accordance with applicable storm water regulations.
6. Cover materials shall be graded to divert storm water runoff from the Unit, to prevent ponding of surface water over wastes, and to resist erosion as a result of storm water runoff.

C. MONITORING SPECIFICATIONS

1. The Discharger shall comply with the detection monitoring program provisions of Title 27 for groundwater and the unsaturated zone, and in accordance with Monitoring and Reporting Program No. _____.
2. The Discharger shall comply with the corrective action monitoring program provisions of Title 27 for groundwater and in accordance with Monitoring and Reporting Program No. _____ for the purpose of monitoring the nature and extent of the release and the progress of corrective action. Sample collection and analysis shall coincide with Groundwater Detection Monitoring.
3. The Discharger shall monitor the final cover in accordance with the Postclosure Maintenance Plan and Monitoring and Reporting Program No. _____.
4. The Discharger shall provide Regional Water Board staff a minimum of **one week** notification prior to commencing any field activities related to the installation, repair, or abandonment of monitoring devices, and a minimum 48 hour notification prior to the collection of samples associated with a monitoring program.
5. The Discharger shall comply with the Water Quality Protection Standard as specified in this Order, Monitoring and Reporting Program No. _____, and the *Standard Provisions and Reporting Requirements*, dated April 2000.
6. The Water Quality Protection Standard for organic compounds that are not naturally occurring and not detected in background groundwater samples shall be taken as the detection limit of the analytical method used (i.e., USEPA methods 8260 and 8270). The presence of non-naturally occurring organic compounds in samples above the Water Quality Protection Standard from detection monitoring wells is evidence of a release from the Unit unless the Discharger can demonstrate that the Unit is not the cause pursuant to Title 27 CCR Section 20420(k)(7).
7. The concentrations of the constituents of concern in waters passing the Point of Compliance shall not exceed the concentration limits established pursuant to Monitoring and Reporting Program No._____.
8. For each monitoring event, the Discharger shall determine whether the Unit is in compliance with the Water Quality Protection Standard using procedures specified in Monitoring and Reporting Program No._____ and Title 27 CCR Section 20415(e).

9. For any given monitored medium, the samples taken from all monitoring points and background monitoring points to satisfy the data analysis requirements for a given reporting period shall all be taken **within a span not to exceed 30 days**, unless the Executive Officer approves a longer time period, and shall be taken in a manner that ensures sample independence to the greatest extent feasible.
10. Specific methods of collection and analysis must be identified. Sample collection, storage, and analysis shall be performed according to the most recent version of USEPA Methods, such as the latest editions, as applicable, of: (1) *Methods for the Analysis of Organics in Water and Wastewater* (USEPA 600 Series), (2) *Test Methods for Evaluating Solid Waste* (SW-846, latest edition), and (3) *Methods for Chemical Analysis of Water and Wastes* (USEPA 600/4-79-020), and in accordance with the approved Sample Collection and Analysis Plan.
11. If methods other than US EPA-approved methods or Standard Methods are used, the exact methodology shall be submitted for review and approval by the Executive Officer prior to use.
12. The **methods of analysis and the detection limits** used must be appropriate for the expected concentrations. For the monitoring of any constituent or parameter that is found in concentrations that produce more than 90% non-numerical determinations (i.e., "trace" or "ND") in data from background monitoring points for that medium, the analytical method having the lowest method detection limit (MDL) shall be selected from among those methods which would provide valid results in light of any matrix effects or interferences.
13. **"Trace" results** - results falling between the MDL and the practical quantitation limit (PQL) - shall be reported as such, and shall be accompanied both by the estimated MDL and PQL values for that analytical run.
14. **MDLs and PQLs** shall be derived by the laboratory for each analytical procedure, according to State of California laboratory accreditation procedures. These MDLs and PQLs shall reflect the detection and quantitation capabilities of the specific analytical procedure and equipment used by the lab, rather than simply being quoted from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived MDLs and PQLs are expected to closely agree with published USEPA MDLs and PQLs.
15. If the laboratory suspects that, due to a change in matrix or other effects, the true detection limit or quantitation limit for a particular analytical run differs significantly from the laboratory-derived MDL/PQL values, the results shall be flagged accordingly, along with estimates of the detection limit and quantitation limit actually achieved. The **MDL shall always be calculated such that it**

represents the lowest achievable concentration associated with a 99% reliability of a nonzero result. The PQL shall always be calculated such that it represents the lowest constituent concentration at which a numerical value can be assigned with reasonable certainty that it represents the constituent's actual concentration in the sample. Normally, PQLs should be set equal to the concentration of the lowest standard used to calibrate the analytical procedure.

16. All **QA/QC data** shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, an explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (i.e., field, trip, or lab blanks), the accompanying sample results shall be appropriately flagged.
17. **Unknown chromatographic peaks** shall be reported, along with an estimate of the concentration of the unknown analyte. When unknown peaks are encountered, second column or second method confirmation procedures shall be performed to attempt to identify and more accurately quantify the unknown analyte.
18. The statistical method shall account for data below the practical quantitation limit (PQL) with one or more statistical procedures that are protective of human health and the environment. Any PQL validated pursuant to Title 27 CCR Section 20415(e)(7) that is used in the statistical method shall be **the lowest concentration (or value) that can be reliably achieved** within limits of precision and accuracy specified in the WDRs for routine laboratory operating conditions that are available to the facility. The Discharger's technical report, pursuant to Title 27 CCR Section 20415(e)(7), shall consider the PQLs listed in Appendix IX to Chapter 14 of Division 4.5 of Title 22, California Code of Regulations, for guidance when specifying limits of precision and accuracy. For any given constituent monitored at a background or downgradient monitoring point, an indication that falls between the MDL and the PQL for that constituent (hereinafter called a "trace" detection) shall be identified and used in appropriate statistical or nonstatistical tests. Nevertheless, for a statistical method that is compatible with the proportion of censored data (trace and ND indications) in the data set, the Discharger can use the laboratory's concentration estimates in the trace range (if available) for statistical analysis, in order to increase the statistical power by decreasing the number of "ties".

19. The Discharger may propose an alternate statistical method [to the methods listed under Title 27 CCR Section 20415(e)(8)(A-D)] in accordance with Title 27 CCR Section 20415(e)(8)(E), for review and approval by the Executive Officer. Upon receiving written approval from the Executive Officer, alternate statistical procedures may be used for determining the significance of analytical results for common laboratory contaminants (i.e., methylene chloride, acetone, diethylhexyl phthalate, and di-n-octyl phthalate). Nevertheless, analytical results involving detection of these analytes in any background or downgradient sample shall be reported and flagged for easy reference by Regional Water Board staff.
20. The Discharger shall use the following nonstatistical method specified in Detection Monitoring Specification D.21 for all constituents which are not amenable to the statistical tests above (i.e., less than 10% of the data from background samples that equal or exceed their respective MDL). This includes all constituents in the Monitoring Parameters and for all Constituents of Concern (COC) found in groundwater and unsaturated zone (in soil-pore liquid or -gas). Each constituent at a monitoring point shall be determined to meet this criterion based on either:
 - a. The results from a single sample for that constituent, taken during that reporting period from that monitoring point; or
 - b. If more than one sample has been taken during a reporting period from a monitoring point, the results from the sample which contains the largest number of qualifying constituents shall be used.

Background for water samples shall be represented by the data from all samples taken from applicable background monitoring points during that reporting period (at least one sample from each background monitoring point). The Discharger may propose an alternate statistical method [to the methods listed under Title 27 CCR Section 20415(e)(8)(A-D) in accordance with Title 27 CCR Section 20415(e)(8)(E), for review and approval by the Executive Officer.

21. The nonstatistical method shall be implemented as follows:
 - a. For every compliance well, regardless of the monitoring program, the Discharger shall use this data analysis method, jointly, for all monitoring parameters and COCs that are detected in less than 10% of background samples. Any COC that triggers a discrete retest per this method shall be added to the monitoring parameter list.

Triggers — From the monitoring parameters and COC list identify each constituent in the current sample that exceeds either its respective MDL or PQL. The Discharger shall conclude that the exceedance provides a preliminary indication [or, for a retest, provide a measurably significant indication] of a change in the nature or extent of the release, at that well, if either:

- 1) The data contains two or more qualifying monitoring parameters and/or COCs that are detected in less than 10% of background samples that equal or exceed their respective MDLs; or
- 2) The data contains one qualifying monitoring parameter and/or COC that equals or exceeds its PQL.

b. Discrete Retest [Title 27 CCR Section 20415(e)(8)(E)]:

- 1) In the event that the Discharger concludes (pursuant to paragraph 21.a., above) that there is a preliminary indication, then the Discharger shall immediately notify Regional Water Board staff by phone or e-mail and, within 30 days of such indication, shall collect two new (retest) samples from the indicating compliance well.
- 2) For any given compliance well retest sample, the Discharger shall include, in the retest analysis, only the laboratory analytical results for those constituents indicated in that well's original test. As soon as the retest data are available, the Discharger shall apply the same test [under 21.a.], to separately analyze each of the two suites of retest data at that compliance well.
- 3) If either (or both) of the retest samples meets either (or both) of the triggers under 21.a., then the Discharger shall conclude that there is a measurably significant increase at that well for the constituent(s) indicated in the validating retest sample(s).

22. If the Executive Officer determines, after reviewing the submitted report, that the detected constituent(s) most likely originated from the Unit, the Discharger shall **immediately** implement the requirements of XI. Response To A Release, C. Release Has Been Verified, contained in the Standard Provisions and Reporting Requirements.

D. PROVISIONS

1. The Discharger shall maintain a copy of this Order in the operating record at the Kings Waste and Recycling Authority office.
2. The Discharger shall comply with all applicable provisions of Title 27 and 40 Code of Federal Regulations Part 258 (Subtitle D) that are not specifically referred to in this Order.
3. The Discharger shall comply with the applicable portions of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements for Nonhazardous Solid Waste Discharges Regulated by Title 27 and/or Subtitle D (27 CCR §20005 et seq. and 40 CFR 258 et seq.)*, dated April 2000, which are hereby incorporated into this Order.
4. In the event the Discharger does not comply or will be unable to comply with any prohibition or limitation of this Order for any reason, the Discharger shall notify the appropriate Regional Water Board office by telephone **as soon as** it or its agents have knowledge of such noncompliance or potential for noncompliance, and shall confirm this notification in writing **within two weeks**. The written notification shall state the nature, time, and cause of noncompliance, and shall describe the measures being taken to prevent recurrences and shall include a timetable for corrective actions.
5. All reports and transmittal letters shall be signed by persons identified below:
 - a. For a corporation: by a principal executive officer of at least the level of senior vice-president.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
 - c. For a municipality, state, federal or other public agency: by either a principal executive officer or ranking elected or appointed official.
 - d. A duly authorized representative of a person designated in a, b or c above if;
 - 1) The authorization is made in writing by a person described in a, b, or c of this provision;
 - 2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a Unit, superintendent, or position of equivalent responsibility. (A duly authorized representative

may thus be either a named individual or any individual occupying a named position); and

- 3) The written authorization is submitted to the Regional Water Board.
- e. Any person signing a document under this Section shall make the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”
6. The Discharger shall take all reasonable steps to minimize any adverse impact to the waters of the State resulting from noncompliance with this Order. Such steps shall include accelerated or additional monitoring as necessary to determine the nature, extent, and impact of the noncompliance.
7. The owner of this facility shall have the continuing responsibility to assure protection of waters of the state from discharged wastes and from gases and leachate generated by incorporated waste during the postclosure maintenance period of the Unit and during subsequent use of the property for other purposes.
8. The fact that it would have been necessary to maintain compliance with this Order shall not be regarded as a defense for the Discharger's violations of the Order.
9. To assume ownership or operation under this Order, the succeeding owner or operator must apply in writing to the Regional Water Board requesting transfer of the Order **within 14 days** of assuming ownership or operation of this facility. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Water Board, and a statement. The statement shall comply with the signatory requirements contained in Provision F.4. and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer of this Order shall be approved or disapproved by the Regional Water Board.

WASTE DISCHARGE REQUIREMENTS ORDER NO. _____
KINGS WASTE AND RECYCLING AUTHORITY
FOR POSTCLOSURE MAINTENANCE
HANFORD MUNICIPAL SOLID WASTE LANDFILL
KINGS COUNTY

-16-

10. The Discharger shall conduct an annual review of the financial assurance for initiating and completing corrective action, and submit a report for Executive Officer review and approval by **1 October of each year**. The assurances of financial responsibility shall provide that funds for corrective action shall be available to the Regional Water Board upon the issuance of any order under California Water Code, Division 7, Chapter 5. The Discharger shall adjust the cost annually to account for inflation and any changes in facility design, construction, or operation.
11. The Discharger shall conduct an annual review of the financial assurance for post-closure maintenance, and submit a report for Executive Officer review and approval by **1 October of each year**. The assurances of financial responsibility shall provide that funds for post-closure maintenance shall be available to the Regional Water Board upon the issuance of any order under California Water Code, Division 7, Chapter 5. The Discharger shall adjust the cost annually to account for inflation and any changes in facility design, construction, or operation.
12. The Discharger shall complete the tasks contained in these waste discharge requirements in accordance with the following time schedule:

<u>Task</u>	<u>Compliance Date</u>
A. Financial Assurance Review	
1. Annual Review of Financial Assurance for initiating and completing corrective action (see Provision D.10)	By 1 October each year
2. Annual Review of Financial Assurance for postclosure maintenance (see Provision D.11)	By 1 October each year

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____.

PAMELA C. CREEDON, Executive Officer